



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, June 16, 2008

*Commissioner David Lillard, Chairman
Commissioner Deidre Malone, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism*

*Commissioner George Flinn
Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Steve Mulroy
Commissioner Mike Ritz*

6/16/2008 11:45 AM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman David Lillard

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

**Pastor Frederick Tappan
Eureka True Vine Baptist Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

**Approval of Minutes of Previous Session
April 23, 2008
May 5, 2008**

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

1. Resolution to honor Mr. Buddy Crenshaw for exemplary service to the citizens of Shelby County through the Chickasaw Council of the Boy Scouts of America. Sponsored by Commissioner Mike Ritz. Cosponsored by Commissioner Mike Carpenter.
2. Resolution to commend Sergeant Major of the Marine Corps Carlton W. Kent for continuing meritorious service as the senior non-commissioned officer of the United States Marine Corps. Sponsored by Commissioner Mike Carpenter.

Ordinances

3. ORDINANCE - SECOND READING - Ordinance fixing tax rate for Shelby County for the year 2008.

GIBSON
Vice-Chairman, Budget
and Finance Committee

Zoning and Subdivisions

RITZ

Chairman, Land Use
Committee

4. Resolution approving various subdivision items, plats, extensions, etc. as recommended by the County Engineer.

a) Resolution to approve the agreement to secure the improvements to the Walnut Grove Hall/Road PD, Phase 4, (P.D. 01-305 CC) and authorize recording of the plat. (Sent from committee without recommendation)

Reports and/or Resolutions for Standing Committees

GIBSON

Vice-Chairman, Budget
and Finance Committee

5. A RESOLUTION APPROVING AN AMENDMENT BETWEEN CASTO INFORMATION MANAGEMENT SYSTEMS, INC (CIMS) AND SHELBY COUNTY GOVERNMENT, INFORMATION TECHNOLOGY DEPARTMENT, FOR ADDITIONAL DOCUMENT MANAGEMENT SOFTWARE, AND THIS ITEM REQUIRES THE EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF AN ADDITIONAL \$139,298.40 FOR A TOTAL OF \$337,780.90. SPONSORED BY COMMISSIONER DEIDRE MALONE.

GIBSON

Vice-Chairman, Budget
and Finance Committee

6. RESOLUTION APPROVING CONTRACT WITH COMPUTER AC, INC.FOR THE PURCHASE OF A REDUNDANT POWER AND COOLING SOLUTION AND APPROPRIATING FUNDS FROM THE FY2007-2008 CAPITAL IMPROVEMENT PROJECT 909-101714-7024 IN THE AMOUNT OF \$310,007.50 FOR SAID PURCHASE. SPONSORED BY COMMISSIONER DEIDRE MALONE.

GIBSON

Vice-Chairman, Budget
and Finance Committee

7. A RESOLUTION APPROVING AN AMENDMENT TO THE EXISTING CONTRACT WITH AT&T GLOBAL SERVICES, INC. IN THE AMOUNT OF \$172,932.04 FOR TELECOMMUNICATIONS HARDWARE AND SOFTWARE FOR THE PURPOSE OF REPLACING OBSOLETE TELECOM EQUIPMENT AND VOICEMAIL SYSTEMS SERVING CODES ENFORCEMENT, THE ELECTION COMMISSION, PUBLIC WORKS (ROADS & BRIDGES) AND THE IT DISASTER RECOVERY SITE. THIS REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$172,932.04. RESOLUTION SPONSORED BY COMMISSIONER JOE FORD. (Deferred to 7/7/08)

GIBSON

Vice-Chairman, Budget
and Finance Committee

8. A RESOLUTION APPROVING AN AMENDMENT TO THE EXISTING CONTRACT WITH AT&T GLOBAL SERVICES, INC. IN THE AMOUNT OF \$118,745.32 FOR TELECOMMUNICATIONS HARDWARE AND SOFTWARE FOR THE PURPOSE OF UPGRADING OBSOLETE TELECOM EQUIPMENT AND VOICEMAIL SYSTEMS SERVING THE SHELBY COUNTY JUVENILE COURT. THIS REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$56,865.32 AND CHILD SUPPORT ENFORCEMENT GRANT FUNDING OF \$61,880. RESOLUTION SPONSORED BY COMMISSIONER JOE FORD. (Deferred via Rule 33 to 7/7/08)

GIBSON

Vice-Chairman, Budget
and Finance Committee

9. A RESOLUTION APPROVING AN AMENDMENT TO THE EXISTING CONTRACT WITH AT&T GLOBAL SERVICES, INC. IN THE AMOUNT OF \$62,892.95 FOR TELECOMMUNICATIONS HARDWARE AND SOFTWARE FOR THE PURPOSE OF UPGRADING CORE OPERATING AND MANAGEMENT SYSTEMS ON THE FOUR PRIMARY TELEPHONE SWITCHES. THIS REQUIRES EXPENDITURE OF COUNTY GENERAL FUNDS IN THE AMOUNT OF \$62,892.95. RESOLUTION SPONSORED BY COMMISSIONER JOE FORD. (Deferred to 7/7/08)

GIBSON

Vice-Chairman, Budget
and Finance Committee

10. RESOLUTION APPROVING IMPLEMENTING A BIENNIAL OPERATING BUDGET FOR SHELBY COUNTY GOVERNMENT. SPONSORED BY COMMISSIONER LILLARD.

GIBSON

Vice-Chairman, Budget
and Finance Committee

11. RESOLUTION TO REQUIRE A MONTHLY REPORT OF UNPAID FINES AND FEES. SPONSORED BY COMMISSIONER LILLARD.

BUNKER

Chairman, Public Works
Committee

12. Resolution to Amend the FY 2007-2008 Budget of Public Works Division ReGIS and to approve an expenditure in the amount of \$155,000.00 for the payment to Pictometry, Inc. for aerial photography, and this item requires an expenditure of general funds in the amount of \$155,000.00. This Resolution sponsored by Commissioner Ritz.

BUNKER

Chairman, Public Works
Committee

13. RESOLUTION APPROVING A CONTRACT WITH WAGNER GENERAL CONTRACTORS IN THE AMOUNT OF \$264,995.00 AND \$26,500.00 FOR EXTRA WORK ALLOWANCE FOR A TOTAL AMOUNT OF \$291,495.00 FOR THE CONSTRUCTION OF THE SHELBY FARMS PLOUGH PARK PUBLIC RESTROOMS FACILITY AND THIS ITEM REQUIRES AN EXPENDITURE OF COUNTY CIP FUNDS IN THE AMOUNT OF \$145,747.50 AND AN EXPENDITURE OF STATE GRANT FUNDS IN THE SAME AMOUNT FOR A TOTAL AMOUNT OF \$291,495.00. SPONSORED BY COMMISSIONER WYATT BUNKER.

BUNKER

Chairman, Public Works
Committee

14. Resolution approving the expenditure of funds by Shelby County Government to Construction Products Inc. of Tennessee for precast concrete channel slabs in the approximate amount of \$585,610.00 from July 1, 2008 to June 30, 2009 and this item requires the expenditure of State Gas Tax Funds in the amount of \$585,610.00. Sponsored by Commissioner Wyatt Bunker.

AVERY

Chairman, Hospitals
and Health Committee

15. A Resolution approving a contract in the amount of \$130,000.00 with Air Technical Services, Inc. for the purchase and installation of a boiler for the Memphis and Shelby County Health Department at 814 Jefferson Avenue, Memphis, TN 38105, and this item requires the expenditure of FY2007-2008 Capital Improvement Program funds in an amount not to exceed \$130,000.00. Sponsored by Commissioner Joyce Avery.

AVERY

Chairman, Hospitals
and Health Committee

16. A RESOLUTION approving a contract amendment to exercise an option to renew a contract for a one-year period and to establish the ability to renew the same contract for a second one-year period in the amount of \$3,971,915.00 with the United Way of the Mid-South for the provision of administrative services (in the amount of \$143,000.00) and funding to healthcare service providers for Core Medical and Support Services (in the amount of \$3,828,915.00) as approved by the Shelby County Board of Commissioners on its September 10, 2007 agenda and consistent with Notice of Grant Award requirements under the Federal Ryan White Part A Grant program, and this item requires the expenditure of pass thru grant funds under the Federal Ryan White Part A Grant program in the amount of \$3,971,915.00. Sponsored by Commissioner Joyce Avery.

AVERY

Chairman, Hospitals
and Health Committee

17. Resolution to express support for the efforts of the Resuscitation Outcomes Consortium. Sponsored by Commissioner Joyce Avery. (Deferred to 7/7/08)

CHISM

Chairman, Law Enforcement
Committee

18. Resolution approving professional services contract in the total amount of \$132,000.00 by and between Shelby County Government on behalf of the Juvenile Court Clerk and Systems Design for computer support services. Resolution sponsored by Commissioner Joyce Avery.

CHISM

Chairman, Law Enforcement
Committee

19. [Resolution to approve a contract with Casto Information Management Systems, Inc. for Integrated Document Management System; and to appropriate funds from FY2007-2008 CIP project Number 101737 Criminal Court Clerk-Integrated Document Management System in the amount of \\$282,900.00 Sponsored by Commissioner Sidney Chism.](#)

CHISM

Chairman, Law Enforcement
Committee

20. [Resolution amending the FY 2007/2008 Operating Budget of the Juvenile Court of Memphis & Shelby County.](#)

CHISM

Chairman, Law Enforcement
Committee

21. [A resolution to appoint a Judicial Commissioner and set the term of the appointment. Sponsored by Commissioner Joe Ford. \(Deferred to 7/7/08\)](#)

RITZ

Chairman, Land Use
Committee

22. [A resolution approving a contract amendment in the amount of \\$193,800.00 between Shelby County Government and Kimberly-Horn and Associates relative to the development and completion of Long-Range Transportation Plan for the Memphis Metropolitan Organization \(MPO\), and this item requires the expenditure of Federal thru State Grant Funds in the amount of \\$193,800.00. Sponsored by Commissioner Mike Ritz.](#)

GIBSON

Chairman, Education
Committee

23. [Resolution directing Office of Planning and Development to study alternative methods other than the Federal Census to amend Resolution No. 31 adopted on January 24, 2000, Resolution No. 32 adopted on March 13, 2000, Resolution No. 1 adopted on April 25, 2002, and Resolution No. 1 adopted on March 24, 2004 establishing Redistricting Plan](#) for the Shelby County Board of Education pursuant to the provisions of Tennessee Code Annotated Section 49-2-201 in order to adopt a plan consisting of seven members and seven districts of substantially equal population comprising the areas of Shelby County outside the City of Memphis. Sponsored by Commissioner Mike Ritz. (WITHDRAWN IN COMMITTEE)

FLINN

Chairman, Community
Services Committee

24. A resolution amending the FY 2008 Operating Budget for a State of Tennessee Community Enhancement Grant in the amount of \$25,000.00 and this item requires expenditures of State of Tennessee Community Enhancement Grant Funds in the amount of \$25,000.00. Sponsored by Commissioner George Flinn.

FLINN

Chairman, Community
Services Committee

25. Resolution amending the FY 07/08 Operating budget of the Head Start Program in the amount of \$192,024.00 to account for the loan proceeds for Suntrust Bank for the purchase of real property located at 3435 Meadow Parkway. Sponsored by Commissioner George Flinn.

CARPENTER

Chairman, Conservation
Committee

26. Resolution appropriating funds in the amount of \$100,000.00 from the FY 2007-2008 Budget for Account #010-300101-6634, Public Works Director and Staff to the Shelby County Soil Conservation District to Cost Share the Repairs and Improvements to Mary's Creek Dam #7 with the Federal Government Natural Resources Conservation Services (NCRS) and amending the FY 2007-2008 Budget, and this item requires expenditure of General Funds in the amount of \$100,000.00. This Resolution is sponsored by Commissioner Wyatt Bunker.

FORD

Chairman, General
Government Committee

27. Resolution approving and adopting an amendment to Volume II, Shelby County Government Personnel Management System to provide a process for the approval of alternative work schedules for employees sponsored by Commissioner Joe Ford. (Deferred to 7/7/08)

FORD

Chairman, General
Government Committee

28. Resolution by the Board of Commissioners of Shelby County, Tennessee requiring criminal, sex offender, and child support background checks for all nominees to any board, agency, or commission that are appointed and/or confirmed by the Board of County Commissioners. Sponsored by Commissioner Henri E. Brooks. (Deferred to 7/7/08)

FORD

Chairman, General
Government Committee

29. [Resolution amending Rule 7 of the Commissioners Permanent Rules of Order. Sponsored by Commissioner Joe Ford. \(Deferred to 7/7/08\)](#)

FORD

Chairman, General
Government Committee

30. [Resolution eliminating pay for unused sick leave at retirement for new employees. Sponsored by Commissioner Sidney Chism. \(Deferred to 7/7/08\)](#)

BROOKS

Chairman, Core City,
Neighborhoods, and Housing
Committee

31. [Resolution approving the transfer of one parcel of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program. Sponsored by Commissioner Henri Brooks.](#)

BROOKS

Chairman, Core City,
Neighborhoods, and Housing
Committee

32. [Resolution approving the transfer of title of four parcels of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program. Sponsored by Commissioner Henri Brooks.](#)

MULROY

Chairman, Legislative
Committee

33. [Resolution by the Board of County Commissioners of Shelby County, Tennessee requesting the County Mayor's Administration to provide regular updates regarding state legislation requested by any board, agency, or commission that have members appointed by the Board of County Commissioners. Sponsored by Commissioner Mike Ritz. \(Deferred to 8/4/08\)](#)

GIBSON

Chairman, Delinquent Tax
Property Committee

34. [Resolution approving the sale of Eight Delinquent Tax Parcels totaling \\$51,500.00 from Tax Sale \(s\) 55, 94.5, 96.1, 0201, 0202 and 0204 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner J. W. Gibson, II.](#)

GIBSON

Chairman, Delinquent Tax
Property Committee

35. A resolution approving the conveyance of six (6) parcels of land 35,412 square feet in size, located on the east and west side of Booker T. Washington High School in the City of Memphis back to Memphis City Schools, without monetary consideration; and to authorize the Mayor to execute a Quit Claim Deed conveying said parcels of land back to Memphis City Schools for proper disposal. Sponsored by: Commissioner J. W. Gibson, II. (Amended in committee 6/11/08)

GIBSON

Chairman, Delinquent Tax
Property Committee

36. A resolution approving the conveyance of a parcel of County owned Delinquent Tax Property 862,923 square feet (19.81 acres) in size, located on Mud Island south of Auction Avenue east of the Mississippi River to the City of Memphis, without monetary consideration; for the City of Memphis Parks to complete the Mississippi River Greenbelt Park and to authorize the Mayor to execute a Quit Claim Deed conveying said parcel of land to the City of Memphis. Sponsored by: Commissioner J. W. Gibson, II. (DEFERRED FROM 6/2/08)

GIBSON

Chairman, Delinquent Tax
Property Committee

37. Resolution approving the sale of twelve Delinquent Tax Parcels totaling \$45,400.00 from Tax Sale (s) 0005, 96.1, 97.4, 99.4, 0102, 0106, 0203, 0205, 0206 and 0304 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner J. W. Gibson, II. (DEFERRED FROM 6/2/08)

GIBSON

Chairman, Delinquent Tax
Property Committee

38. Resolution approving the sale of twelve Delinquent Tax Parcels totaling \$37,600.00 from Tax Sale (s) 0005, 53, 0104, 0105, 0201, 0205, 0206, 0302, and 0303 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner J. W. Gibson, II.

REGULAR AGENDA

Elections, Appointments, and Confirmations

FORD
Chairman, General
Government Committee

39. [Resolution approving the County Mayor's nomination of Yolanda D. Ingraham for appointment to the Memphis and Shelby County Land Use Control Board. Sponsored by Commissioner Joe Ford.](#)

FORD
Chairman, General
Government Committee

40. [Resolution Appointing Betty Loveless and James Bostick as Retiree Members of the Unified Personnel Policy Committee Sponsored by Commissioner Joe Ford](#)

FORD
Chairman, General
Government Committee

41. [Resolution approving the county Mayor's nomination for the joint city-county appointment of Anne Langston to the Memphis and Shelby County Community Redevelopment Agency to complete an unexpired term until September 1, 2008 sponsored by Commissioner Joe Ford](#)

FORD
Chairman, General
Government Committee

42. [Resolution approving the county Mayor's nomination for the joint city-county reappointment of Anne Langston to the Memphis Shelby County Community Redevelopment Agency for a four year term sponsored by Commissioner Joe Ford](#)

Ordinances

FORD
Chairman, General
Government Committee

43. [ORDINANCE - THIRD READING - An ordinance to approve and set the salary of the Chairman of the Shelby County Commission for the 2008-2009 term. Sponsored by Commissioner Joe Ford.](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

GIBSON

Vice-Chairman, Budget
and Finance Committee

44. RESOLUTION TO INCLUDE FUNDING IN THE FY 2008-2009 CIP BUDGET IN THE AMOUNT OF \$1,200,000.00 FOR THE DESIGN AND CONSTRUCTION OF A LOW PRESSURE SEWER SYSTEM IN THE COTTON CREEK AREA. SPONSORED BY COMMISSIONER WYATT BUNKER. (ADD-ON IN COMMITTEE 6/11/08)

GIBSON

Vice-Chairman, Budget
and Finance Committee

45. Resolution amending the FY 2009 operating budget to carry forward funds in the amount of \$35,000.00 from the FY 2008 Commissioners Contingency Funds budget for public information expenses related to the proposed Shelby County Charter Amendments referendum. Sponsored by Chairman David Lillard. (ADD-ON RESOLUTION)

GIBSON

Vice-Chairman, Budget and
Finance Committee

46. A resolution to amend Rule 5 (c) of the Commissioner's Permanent Rules of Order. Sponsored by Chairman David Lillard. THIS IS AN ADD-ON ITEM.

GIBSON

Vice-Chairman, Budget
and Finance Committee

47. RESOLUTION REDUCING ANNUAL CAPITAL OUTLAY BY SHELBY COUNTY TO ACTUAL REPAIRS AND MAINTENANCE AND SCHOOL CONSTRUCTION FOR THE FISCAL YEARS 2009, 2010, and 2011EFFECTIVE JULY 1, 2008. SPONSORED BY COMMISSIONER MIKE RITZ. (Amended in committee 6/11/08)

GIBSON

Vice-Chairman, Budget
and Finance Committee

48. RESOLUTION APPROVING THE SHELBY COUNTY CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2009 AND THE CORRESPONDING FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2009-2013 AND APPROPRIATING AN \$878,109.00 TRANSFER TO DEBT SERVICE FUND AND \$3,000,000.00 FOR BOND ISSUANCE AND INTEREST COSTS. SPONSORED BY COMMISSIONER DEIDRE MALONE (Amended in committee 6/11/08)

GIBSON

Vice-Chairman, Budget and
Finance Committee

49. Resolution approving expenditure of funds in the amount of \$1,167,085.08 to various vendors for perishable foods for the various departments of Shelby County Government. This item requires expenditure of County General Funds in the amount of \$1,167,085.08. Sponsored by Commissioner Deidre Malone. (Sent from committee without recommendation)

GIBSON

Vice-Chairman, Budget
and Finance Committee

50. Resolution approving expenditure of funds in the amount of \$287,785.56 to various vendors for linens and blankets for the various departments of Shelby County Government. This item requires expenditure of County general funds in the amount of \$287,785.56. Sponsored by Commissioner Deidre Malone. (Sent from committee without recommendation)

GIBSON

Vice-Chairman, Budget
and Finance Committee

51. Resolution approving expenditure of funds in the amount of \$124,568.00 to Waste Connection of Tennessee for garbage and trash removal for Shelby County Government. This item requires expenditure of County general funds in the amount of \$124,568.00. Sponsored by Commissioner Deidre Malone. (sent from committee without recommendation)

GIBSON

Vice-Chairman, Budget
and Finance Committee

52. Resolution to approve a purchase of computer network components and professional services from Coleman Technologies, Inc. for the purpose of current technology network upgrades and enhancements to support long-term maintenance and emerging initiatives; in the amount of \$310,914.00 from FY2007-2008, Capital Improvement Project 909-101714-7024, Computer Equipment. Sponsored by Commissioner Deidre Malone. (sent from committee without recommendation)

AVERY

Chairman, Hospitals
and Health Committee

53. A resolution approving a contract in the amount of \$400,000 with Shelby County Schools for the retrofitting of Shelby County School Buses to help reduce transportation based air pollution emissions in the Shelby County area and this Item requires the expenditure of State grant funds under the Congestion Mitigation Air Quality Grant Fund in the amount of \$320,000, with a required match from the County of \$80,000. Sponsored by Commissioner Joyce Avery.

GIBSON

Chairman, Education
Committee

54. Resolution amending the FY 2008 Capital Improvement Budget and Appropriating School Capital Funds in the Amount of \$11,537,402 from funds transferred for this purpose as authorized by resolution 63A adopted on June 25, 2007. Sponsored by Commissioner Deidre Malone.

GIBSON

Chairman, Education
Committee

55. Resolution approving the Shelby County Board of Education Operating Budget for FY 2009 as adopted by the Shelby County Board of Education. (Deferred to 7/7/08)

FLINN

Chairman, Community
Services Committee

56. [Resolution approving the expenditure of funds in the amount of \\$86,825 to the University of Memphis for the development of Child Impact Statements for the Administration and Board of Commissioners of Shelby County, Tennessee through the Office of Early Childhood & Youth. This item requires the expenditure of County General Funds in the amount of \\$86,825. Sponsored by Commissioner Mike Carpenter.](#)

FORD

Chairman, General
Government Committee

57. [Resolution authorizing medical premiums for active employees and pre-65 retirees effective July 1, 2008. Sponsored by Commissioner Joe Ford.](#)

BROOKS

Chairman, Core City,
Neighborhoods, and Housing
Committee

58. [Resolution amending the policies and procedures of the Shelby County Homestead Program pursuant to Chapter 281 of the Public Acts of 1985 and as authorized by the Shelby County Mayor and Shelby County Board of Commissioners by resolution on October 7, 1985. Sponsored by Commissioner Henri Brooks. \(Amended in committee 6/11/08\)](#)

Announcements/Statements

59. [Notification from County Mayor of appointments/reappointments to various Boards, Commissions, and offices of Shelby County Government.](#)
- a) Resolution approving the County Mayor's nomination of Humphrey E. Folk, III and Aubrey J. Howard for reappointment to the Memphis and Shelby County Port Commission. Sponsored by Commissioner Joe Ford.
 - b) Resolution approving the County Mayor's nomination for the joint City-County reappointment of Clifford Stockton, Sr. and the appointment of Melvin T. Burgess II, Dick Leike, and William A. Gillon to the Memphis and Shelby County Industrial Development Board. Sponsored by Commissioner Joe Ford.

Adjournment

- 60. Resolution of adjournment to Monday, July 7 at 1:30 p.m.**